

# Readings

## Unit 6

- Introduction—Legislatures: Laying Down the Law
- Tocqueville, *Democracy in America*: “Legislative Powers of the Federal Government”
- Locke, *Legislatures*
- *Federalist Papers*: “Federalist No. 26”
- Beveridge, “Remarks Before the Senate Concerning the U.S. Occupation of the Philippines”

## Questions

1. Why did Tocqueville write that only young countries have rational constitutions?
2. What did Locke believe was the most significant reason that people joined society?
3. According to “Federalist No. 26,” why were Americans generally against a standing army during times of peace?
4. Why did Senator Beveridge believe that America should colonize the Philippines?

## Introduction—Legislatures: Laying Down the Law

“In the United States, then, that numerous and turbulent multitude does not exist who, regarding the law as their natural enemy, look upon it with fear and distrust,” Tocqueville reported. “It is impossible, on the contrary, not to perceive that all classes display the utmost reliance upon the legislation of their country and are attached to it by a kind of parental affection” (257). This chapter presents writings by legislatures and about legislatures. A legislature—whether local, state, or national—is a representative assembly with the power to create law for the society represented in the assembly and is typically the central and most powerful institution within representative governments.

In spite of their appearance of great age, legislatures are a surprisingly recent development. The assemblies of Greece and Rome, though in many ways the models of contemporary legislatures, were not themselves, properly speaking, legislatures since citizens, instead of representatives, sat in person in the assembly. Such assemblies still exist, to some degree, in Switzerland (*Landsgemeinded*). The British Parliament was the first legislature to become prominent. Originally, members were not elected to seats but instead they were selected members of groupings, or estates, with political power—clergy, nobility, and the bourgeoisie. The French States-General was similar and had a separate body for each estate. The typical contemporary bicameral system arose from these systems in which estates were represented in different legislative bodies, with the nobility and clergy typically positioned in the upper house and the bourgeoisies in the lower. The Congress of the United States and the American state legislatures (except, since 1937, Nebraska) are bicameral. Currently, however, the two houses do not reflect difference of social estate and citizens elect members of both houses.

The readings collected here explore the intellectual foundations of legislative power as offered by John Locke, Alexis de Tocqueville, and “Federalist No. 26.” Senator Beveridge’s speech before the Senate illustrates the ways and means of American involvement in the Philippines, which further illustrates some of the issues of race, equality, and American foreign policy dealt with in other chapters. Do Americans continue to show affection for these institutions, as Tocqueville saw, and have these institutions shown great affection for Americans?

# Alexis de Tocqueville, *Democracy in America*, “Legislative Powers of the Federal Government”

## In “The Federal Constitution” (Volume I, Chapter VIII)

*LEGISLATIVE POWERS OF THE FEDERAL GOVERNMENT. Division of the legislative body into two branches—Difference in the manner of forming the two houses—The principle of the independence of the states predominates in the formation of the Senate—That of the sovereignty of the nation in the composition of the House of Representatives—Singular effect of the fact that a constitution can be logical only when the nation is young.*

THE plan that had been laid down beforehand in the constitutions of the several states was followed, in many respects, in the organization of the powers of the Union. The Federal legislature of the Union was composed of a Senate and a House of Representatives. A spirit of compromise caused these two assemblies to be constituted on different principles. I have already shown that two interests were opposed to each other in the establishment of the Federal Constitution. These two interests had given rise to two opinions. It was the wish of one party to convert the Union into a league of independent states, or a sort of congress, at which the representatives of the several nations would meet to discuss certain points of common interest. The other party desired to unite the inhabitants of the American colonies into one and the same people and to establish a government that should act as the sole representative of the nation, although in a limited sphere. The practical consequences of these two theories were very different.

If the object was that a league should be established instead of a national government, then the majority of the states, instead of the majority of the inhabitants of the Union, would make the laws; for every state, great or small, would then remain in full independence and enter the Union upon a footing of perfect equality. If, however, the inhabitants of the United States were to be considered as belonging to one and the same nation, it would be natural that the majority of the citizens of the Union should make the law. Of course, the lesser states could not subscribe to the application of this doctrine without in fact abdicating their existence in respect to the sovereignty of the confederation, since they would cease to be a coequal and coauthoritative power and become an insignificant fraction of a great people. The former system would have invested them with excessive authority, the latter would have destroyed their influence altogether. Under these circumstances the result was that the rules of logic were broken, as is usually the case when interests are opposed to arguments. The legislators hit upon a middle course that brought together by force two systems theoretically irreconcilable.

The principle of the independence of the states triumphed in the formation of the Senate, and that of the sovereignty of the nation in the composition of the House of Representatives. Each state was to send two senators to Congress, and a number of representatives proportioned to its population. It results from this arrangement that the state of New York has at the present day thirty-three representatives, and only two senators; the state of Delaware has two senators, and only one representative; the state of Delaware is therefore equal to the state of New York in the Senate, while the latter has thirty-three times the influence of the former in the House of Representatives. Thus the minority of the nation in the Senate may paralyze the decisions of the majority represented in the other house, which is contrary to the spirit of constitutional government.

These facts show how rare and difficult it is rationally and logically to combine all the several parts of legislation. The course of time always gives birth to different interests, and sanctions different principles, among the same people; and when a general constitution is to be established, these interests and principles are so many natural obstacles to the rigorous application of any political system with all its consequences. The early stages of national existence are the only periods at which it is possible to make legislation strictly logical; and when we perceive a nation in the enjoyment of this advantage, we should not hastily conclude that it is wise, but only remember that it is young. When the Federal Constitution was formed, the interest of independence for the separate states and the interest of union for the whole people were the only two conflicting interests that existed among the Anglo-Americans, and a compromise was necessarily made between them.

It is just to acknowledge, however, that this part of the Constitution has not hitherto produced those evils that might have been feared. All the states are young and contiguous; their customs, their ideas, and their wants are not dissimilar; and the differences which result from their size are not enough to set their interests much at variance.

## Legislative Powers of the Federal Government, cont'd.

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The small states have consequently never leagued themselves together in the Senate to oppose the designs of the larger ones. Besides, there is so irresistible an authority in the legal expression of the will of a people that the Senate could offer but a feeble opposition to the vote of the majority expressed by the House of Representatives.

It must not be forgotten, moreover, that it was not in the power of the American legislators to reduce to a single nation the people for whom they were making laws. The object of the Federal Constitution was not to destroy the independence of the states, but to restrain it. By acknowledging the real power of these secondary communities (and it was impossible to deprive them of it) they disavowed beforehand the habitual use of compulsion in enforcing the decisions of the majority. This being laid down, the introduction of the influence of the states into the mechanism of the Federal government was by no means to be wondered at, since it only attested the existence of an acknowledged power, which was to be humored and not forcibly checked.

*A FURTHER DIFFERENCE BETWEEN THE SENATE AND THE HOUSE OF REPRESENTATIVES. The Senate named by the state legislatures; the Representatives by the people—Double election of the former; single election of the latter—Term of the different offices—Peculiar functions of each house.*

The Senate differs from the other house not only in the very principle of representation, but also in the mode of its election, in the term for which it is chosen, and in the nature of its functions. The House of Representatives is chosen by the people, the Senate by the legislatures of the states; the former is directly elected, the latter is elected by an elected body; the term for which the representatives are chosen is only two years, that of the senators is six. The functions of the House of Representatives are purely legislative, and the only share it takes in the judicial power is in the impeachment of public officers. The Senate co-operates in the work of legislation and tries those political offenses that the House of Representatives submits to its decision. It also acts as the great executive council of the nation; the treaties that are concluded by the President must be ratified by the Senate, and the appointments he may make, in order to be legally effective, must be approved by the same body.

# John Locke, *Legislatures* (Chapters 10-11)

## Chapter 10

### Of the Forms of a Commonwealth

132. THE majority having, as has been showed, upon men's first uniting into society, the whole power of the community naturally in them, may employ all that power in making laws for the community from time to time, and executing those laws by officers of their own appointing, and then the form of the government is a perfect democracy; or else may put the power of making laws into the hands of a few select men, and their heirs or successors, and then it is an oligarchy; or else into the hands of one man, and then it is a monarchy; if to him and his heirs, it is a hereditary monarchy; if to him only for life, but upon his death the power only of nominating a successor, to return to them, an elective monarchy. And so accordingly of these make compounded and mixed forms of government, as they think good. And if the legislative power be at first given by the majority to one or more persons only for their lives, or any limited time, and then the supreme power to revert to them again, when it is so reverted the community may dispose of it again anew into what hands they please, and so constitute a new form of government; for the form of government depending upon the placing the supreme power, which is the legislative, it being impossible to conceive that an inferior power should prescribe to a superior, or any but the supreme make laws, according as the power of making laws is placed, such is the form of the commonwealth.

133. By "commonwealth" I must be understood all along to mean not a democracy, or any form of government, but any independent community which the Latins signified by the word *civitas*, to which the word which best answers in our language is "commonwealth," and most properly expresses such a society of men which "community" does not (for there may be subordinate communities in a government), and "city" much less. And therefore, to avoid ambiguity, I crave leave to use the word "commonwealth" in that sense, in which sense I find the word used by King James himself, which I think to be its genuine signification, which, if anybody dislike, I consent with him to change it for a better.

## Chapter 11

### Of the Extent of the Legislative Power

134. THE great end of men's entering into society being the enjoyment of their properties in peace and safety, and the great instrument and means of that being the laws established in that society, the first and fundamental positive law of all commonwealths is the establishing of the legislative power, as the first and fundamental natural law which is to govern even the legislative. Itself is the preservation of the society and (as far as will consist with the public good) of every person in it. This legislative is not only the supreme power of the commonwealth, but sacred and unalterable in the hands where the community has once placed it. Nor can any edict of anybody else, in what form soever conceived, or by what power soever backed, have the force and obligation of a law which has not its sanction from that legislative which the public has chosen and appointed; for without this the law could not have that which is absolutely necessary to its being a law, the consent of the society, over whom nobody can have a power to make laws but by their own consent and by authority received from them; and therefore all the obedience, which by the most solemn ties any one can be obliged to pay, ultimately terminates in this supreme power, and is directed by those laws which it enacts. Nor can any oaths to any foreign power whatsoever, or any domestic subordinate power, discharge any member of the society from his obedience to the legislative, acting pursuant to their trust, nor oblige him to any obedience contrary to the laws so enacted or farther than they do allow, it being ridiculous to imagine one can be tied ultimately to obey any power in the society which is not the supreme.

135. Though the legislative, whether placed in one or more, whether it be always in being or only by intervals, though it be the supreme power in every commonwealth, yet, first, it is not, nor can possibly be, absolutely arbitrary over the lives and fortunes of the people. For it being but the joint power of every member of the society given up to that person or assembly which is legislator, it can be no more than those persons had in a state of Nature before they entered into society, and gave it up to the community. For nobody can transfer to another more power than he has in himself, and nobody has an absolute arbitrary power over himself, or over any other, to destroy his own life, or take away the life or property of another. A man, as has been proved, cannot subject himself to the arbitrary power of another; and having, in the state of Nature, no arbitrary power over the life,

## Legislatures, cont'd.

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liberty, or possession of another, but only so much as the law of Nature gave him for the preservation of himself and the rest of mankind, this is all he doth, or can give up to the commonwealth, and by it to the legislative power, so that the legislative can have no more than this. Their power in the utmost bounds of it is limited to the public good of the society. It is a power that hath no other end but preservation, and therefore can never have a right to destroy, enslave, or designedly to impoverish the subjects; the obligations of the law of Nature cease not in society, but only in many cases are drawn closer, and have, by human laws, known penalties annexed to them to enforce their observation. Thus the law of Nature stands as an eternal rule to all men, legislators as well as others. The rules that they make for, other men's actions must, as well as their own and other men's actions, be conformable to the law of Nature—i.e., to the will of God, of which that is a declaration, and the fundamental law of Nature being the preservation of mankind, no human sanction can be good or valid against it.

136. Secondly, the legislative or supreme authority cannot assume to itself a power to rule by extemporary arbitrary decrees, but is bound to dispense justice and decide the rights of the subject by promulgated standing laws, and known authorised judges. For the law of Nature being unwritten, and so nowhere to be found but in the minds of men, they who, through passion or interest, shall miscite or misapply it, cannot so easily be convinced of their mistake where there is no established judge; and so it serves not as it ought, to determine the rights and fence the properties of those that live under it, especially where every one is judge, interpreter, and executioner of it too, and that in his own case; and he that has right on his side, having ordinarily but his own single strength, hath not force enough to defend himself from injuries or punish delinquents. To avoid these inconveniencies which disorder men's properties in the state of Nature, men unite into societies that they may have the united strength of the whole society to secure and defend their properties, and may have standing rules to bound it by which every one may know what is his. To this end it is that men give up all their natural power to the society they enter into, and the community put the legislative power into such hands as they think fit, with this trust, that they shall be governed by declared laws, or else their peace, quiet, and property will still be at the same uncertainty as it was in the state of Nature.

137. Absolute arbitrary power, or governing without settled standing laws, can neither of them consist with the ends of society and government, which men would not quit the freedom of the state of Nature for, and tie themselves up under, were it not to preserve their lives, liberties, and fortunes, and by stated rules of right and property to secure their peace and quiet. It cannot be supposed that they should intend, had they a power so to do, to give any one or more an absolute arbitrary power over their persons and estates, and put a force into the magistrate's hand to execute his unlimited will arbitrarily upon them; this were to put themselves into a worse condition than the state of Nature, wherein they had a liberty to defend their right against the injuries of others, and were upon equal terms of force to maintain it, whether invaded by a single man or many in combination. Whereas by supposing they have given up themselves to the absolute arbitrary power and will of a legislator, they have disarmed themselves, and armed him to make a prey of them when he pleases; he being in a much worse condition that is exposed to the arbitrary power of one man who has the command of a hundred thousand than he that is exposed to the arbitrary power of a hundred thousand single men, nobody being secure, that his will who has such a command is better than that of other men, though his force be a hundred thousand times stronger. And, therefore, whatever form the commonwealth is under, the ruling power ought to govern by declared and received laws, and not by extemporary dictates and undetermined resolutions, for then mankind will be in a far worse condition than in the state of Nature if they shall have armed one or a few men with the joint power of a multitude, to force them to obey at pleasure the exorbitant and unlimited decrees of their sudden thoughts, or unrestrained, and till that moment, unknown wills, without having any measures set down which may guide and justify their actions. For all the power the government has, being only for the good of the society, as it ought not to be arbitrary and at pleasure, so it ought to be exercised by established and promulgated laws, that both the people may know their duty, and be safe and secure within the limits of the law, and the rulers, too, kept within their due bounds, and not be tempted by the power they have in their hands to employ it to purposes, and by such measures as they would not have known, and own not willingly.

138. Thirdly, the supreme power cannot take from any man any part of his property without his own consent. For the preservation of property being the end of government, and that for which men enter into society, it necessarily supposes and requires that the people should have property, without which they must be supposed to lose that by entering into society which was the end for which they entered into it; too gross an absurdity for any man to own. Men, therefore, in society having property, they have such a right to the goods, which by the law of the community are theirs, that nobody hath a right to take them, or any part of them, from them without their own consent; without this they have no property at all. For I have truly no property in that which another can by right

## Legislatures, cont'd.

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take from me when he pleases against my consent. Hence it is a mistake to think that the supreme or legislative power of any commonwealth can do what it will, and dispose of the estates of the subject arbitrarily, or take any part of them at pleasure. This is not much to be feared in governments where the legislative consists wholly or in part in assemblies which are variable, whose members upon the dissolution of the assembly are subjects under the common laws of their country, equally with the rest. But in governments where the legislative is in one lasting assembly, always in being, or in one man as in absolute monarchies, there is danger still, that they will think themselves to have a distinct interest from the rest of the community, and so will be apt to increase their own riches and power by taking what they think fit from the people. For a man's property is not at all secure, though there be good and equitable laws to set the bounds of it between him and his fellow-subjects, if he who commands those subjects have power to take from any private man what part he pleases of his property, and use and dispose of it as he thinks good.

139. But government, into whosoever hands it is put, being as I have before shown, entrusted with this condition, and for this end, that men might have and secure their properties, the prince or senate, however it may have power to make laws for the regulating of property between the subjects one amongst another, yet can never have a power to take to themselves the whole, or any part of the subjects' property, without their own consent; for this would be in effect to leave them no property at all. And to let us see that even absolute power, where it is necessary, is not arbitrary by being absolute, but is still limited by that reason and confined to those ends which required it in some cases to be absolute, we need look no farther than the common practice of martial discipline. For the preservation of the army, and in it of the whole commonwealth, requires an absolute obedience to the command of every superior officer, and it is justly death to disobey or dispute the most dangerous or unreasonable of them; but yet we see that neither the sergeant that could command a soldier to march up to the mouth of a cannon, or stand in a breach where he is almost sure to perish, can command that soldier to give him one penny of his money; nor the general that can condemn him to death for deserting his post, or not obeying the most desperate orders, cannot yet with all his absolute power of life and death dispose of one farthing of that soldier's estate, or seize one jot of his goods; whom yet he can command anything, and hang for the least disobedience. Because such a blind obedience is necessary to that end for which the commander has his power—viz., the preservation of the rest, but the disposing of his goods has nothing to do with it.

140. It is true governments cannot be supported without great charge, and it is fit every one who enjoys his share of the protection should pay out of his estate his proportion for the maintenance of it. But still it must be with his own consent—i.e., the consent of the majority, giving it either by themselves or their representatives chosen by them; for if any one shall claim a power to lay and levy taxes on the people by his own authority, and without such consent of the people, he thereby invades the fundamental law of property, and subverts the end of government. For what property have I in that which another may by right take when he pleases to himself?

141. Fourthly. The legislative cannot transfer the power of making laws to any other hands, for it being but a delegated power from the people, they who have it cannot pass it over to others. The people alone can appoint the form of the commonwealth, which is by constituting the legislative, and appointing in whose hands that shall be. And when the people have said, "We will submit, and be governed by laws made by such men, and in such forms," nobody else can say other men shall make laws for them; nor can they be bound by any laws but such as are enacted by those whom they have chosen and authorised to make laws for them.

142. These are the bounds which the trust that is put in them by the society and the law of God and Nature have set to the legislative power of every commonwealth, in all forms of government. First: They are to govern by promulgated established laws, not to be varied in particular cases, but to have one rule for rich and poor, for the favourite at Court, and the countryman at plough. Secondly: These laws also ought to be designed for no other end ultimately but the good of the people. Thirdly: They must not raise taxes on the property of the people without the consent of the people given by themselves or their deputies. And this properly concerns only such governments where the legislative is always in being, or at least where the people have not reserved any part of the legislative to deputies, to be from time to time chosen by themselves. Fourthly: Legislative neither must nor can transfer the power of making laws to anybody else, or place it anywhere but where the people have.

# *Federalist Papers: “Federalist No. 26”*

## **The Idea of Restraining the Legislative Authority in Regard to the Common Defense Considered**

by Alexander Hamilton

To the People of the State of New York:

IT WAS a thing hardly to be expected that in a popular revolution the minds of men should stop at that happy mean which marks the salutary boundary between POWER and PRIVILEGE, and combines the energy of government with the security of private rights. A failure in this delicate and important point is the great source of the inconveniences we experience, and if we are not cautious to avoid a repetition of the error, in our future attempts to rectify and ameliorate our system, we may travel from one chimerical project to another; we may try change after change; but we shall never be likely to make any material change for the better.

The idea of restraining the legislative authority, in the means of providing for the national defense, is one of those refinements which owe their origin to a zeal for liberty more ardent than enlightened. We have seen, however, that it has not had thus far an extensive prevalency; that even in this country, where it made its first appearance, Pennsylvania and North Carolina are the only two States by which it has been in any degree patronized; and that all the others have refused to give it the least countenance; wisely judging that confidence must be placed somewhere; that the necessity of doing it, is implied in the very act of delegating power; and that it is better to hazard the abuse of that confidence than to embarrass the government and endanger the public safety by impolitic restrictions on the legislative authority. The opponents of the proposed Constitution combat, in this respect, the general decision of America; and instead of being taught by experience the propriety of correcting any extremes into which we may have heretofore run, they appear disposed to conduct us into others still more dangerous, and more extravagant. As if the tone of government had been found too high, or too rigid, the doctrines they teach are calculated to induce us to depress or to relax it, by expedients which, upon other occasions, have been condemned or forborne. It may be affirmed without the imputation of invective, that if the principles they inculcate, on various points, could so far obtain as to become the popular creed, they would utterly unfit the people of this country for any species of government whatever. But a danger of this kind is not to be apprehended. The citizens of America have too much discernment to be argued into anarchy. And I am much mistaken, if experience has not wrought a deep and solemn conviction in the public mind, that greater energy of government is essential to the welfare and prosperity of the community.

It may not be amiss in this place concisely to remark the origin and progress of the idea, which aims at the exclusion of military establishments in time of peace. Though in speculative minds it may arise from a contemplation of the nature and tendency of such institutions, fortified by the events that have happened in other ages and countries, yet as a national sentiment, it must be traced to those habits of thinking which we derive from the nation from whom the inhabitants of these States have in general sprung.

In England, for a long time after the Norman Conquest, the authority of the monarch was almost unlimited. Inroads were gradually made upon the prerogative, in favor of liberty, first by the barons, and afterwards by the people, till the greatest part of its most formidable pretensions became extinct. But it was not till the revolution in 1688, which elevated the Prince of Orange to the throne of Great Britain, that English liberty was completely triumphant. As incident to the undefined power of making war, an acknowledged prerogative of the crown, Charles II. had, by his own authority, kept on foot in time of peace a body of 5,000 regular troops. And this number James II. increased to 30,000; who were paid out of his civil list. At the revolution, to abolish the exercise of so dangerous an authority, it became an article of the Bill of Rights then framed, that “the raising or keeping a standing army within the kingdom in time of peace, UNLESS WITH THE CONSENT OF PARLIAMENT, was against law.”

In that kingdom, when the pulse of liberty was at its highest pitch, no security against the danger of standing armies was thought requisite, beyond a prohibition of their being raised or kept up by the mere authority of the executive magistrate. The patriots, who effected that memorable revolution, were too temperate, too well informed, to think of any restraint on the legislative discretion. They were aware that a certain number of troops for guards and garrisons were indispensable; that no precise bounds could be set to the national exigencies; that a power equal to every possible contingency must exist somewhere in the government: and that when they referred the exercise of that power to the judgment of the legislature, they had arrived at the ultimate point of precaution which was reconcilable with the safety of the community.

From the same source, the people of America may be said to have derived an hereditary impression of danger to liberty, from standing armies in time of peace. The circumstances of a revolution quickened the public sensibility on every point connected with the security of popular rights, and in some instances raise the warmth of our zeal beyond the degree which consisted with the due temperature of the body politic. The attempts of two of the States to restrict the authority of the legislature in the article of military establishments, are of the number of these instances. The principles which had taught us to be jealous of the power of an hereditary monarch were by an injudicious excess extended to the representatives of the people in their popular assemblies. Even in some of the States, where this error was not adopted, we find unnecessary declarations that standing armies ought not to be kept up, in time of peace, WITHOUT THE CONSENT OF THE LEGISLATURE. I call them unnecessary, because the reason which had introduced a similar provision into the English Bill of Rights is not applicable to any of the State constitutions. The power of raising armies at all, under those constitutions, can by no construction be deemed to reside anywhere else, than in the legislatures themselves; and it was superfluous, if not absurd, to declare that a matter should not be done without the consent of a body, which alone had the power of doing it. Accordingly, in some of these constitutions, and among others, in that of this State of New York, which has been justly celebrated, both in Europe and America, as one of the best of the forms of government established in this country, there is a total silence upon the subject.

It is remarkable, that even in the two States which seem to have meditated an interdiction of military establishments in time of peace, the mode of expression made use of is rather cautionary than prohibitory. It is not said, that standing armies SHALL NOT BE kept up, but that they OUGHT NOT to be kept up, in time of peace. This ambiguity of terms appears to have been the result of a conflict between jealousy and conviction; between the desire of excluding such establishments at all events, and the persuasion that an absolute exclusion would be unwise and unsafe.

Can it be doubted that such a provision, whenever the situation of public affairs was understood to require a departure from it, would be interpreted by the legislature into a mere admonition, and would be made to yield to the necessities or supposed necessities of the State? Let the fact already mentioned, with respect to Pennsylvania, decide. What then (it may be asked) is the use of such a provision, if it cease to operate the moment there is an inclination to disregard it?

Let us examine whether there be any comparison, in point of efficacy, between the provision alluded to and that which is contained in the new Constitution, for restraining the appropriations of money for military purposes to the period of two years. The former, by aiming at too much, is calculated to effect nothing; the latter, by steering clear of an imprudent extreme, and by being perfectly compatible with a proper provision for the exigencies of the nation, will have a salutary and powerful operation.

The legislature of the United States will be OBLIGED, by this provision, once at least in every two years, to deliberate upon the propriety of keeping a military force on foot; to come to a new resolution on the point; and to declare their sense of the matter, by a formal vote in the face of their constituents. They are not AT LIBERTY to vest in the executive department permanent funds for the support of an army, if they were even incautious enough to be willing to repose in it so improper a confidence. As the spirit of party, in different degrees, must be expected to infect all political bodies, there will be, no doubt, persons in the national legislature willing enough to arraign the measures and criminate the views of the majority. The provision for the support of a military force will always be a favorable topic for declamation. As often as the question comes forward, the public attention will be roused and attracted to the subject, by the party in opposition; and if the majority should be really disposed to exceed the proper limits, the community will be warned of the danger, and will have an opportunity of taking measures to guard against it. Independent of parties in the national legislature itself, as often as the period of discussion arrived, the State legislatures, who will always be not only vigilant but suspicious and jealous guardians of the

rights of the citizens against encroachments from the federal government, will constantly have their attention awake to the conduct of the national rulers, and will be ready enough, if any thing improper appears, to sound the alarm to the people, and not only to be the VOICE, but, if necessary, the ARM of their discontent.

Schemes to subvert the liberties of a great community REQUIRE TIME to mature them for execution. An army, so large as seriously to menace those liberties, could only be formed by progressive augmentations; which would suppose, not merely a temporary combination between the legislature and executive, but a continued conspiracy for a series of time. Is it probable that such a combination would exist at all? Is it probable that it would be persevered in, and transmitted along through all the successive variations in a representative body, which biennial elections would naturally produce in both houses? Is it presumable, that every man, the instant he took his seat in the national Senate or House of Representatives, would commence a traitor to his constituents and to his country? Can it be supposed that there would not be found one man, discerning enough to detect so atrocious a conspiracy, or bold or honest enough to apprise his constituents of their danger? If such presumptions can fairly be made, there ought at once to be an end of all delegated authority. The people should resolve to recall all the powers they have heretofore parted with out of their own hands, and to divide themselves into as many States as there are counties, in order that they may be able to manage their own concerns in person.

If such suppositions could even be reasonably made, still the concealment of the design, for any duration, would be impracticable. It would be announced, by the very circumstance of augmenting the army to so great an extent in time of profound peace. What colorable reason could be assigned, in a country so situated, for such vast augmentations of the military force? It is impossible that the people could be long deceived; and the destruction of the project, and of the projectors, would quickly follow the discovery.

It has been said that the provision which limits the appropriation of money for the support of an army to the period of two years would be unavailing, because the Executive, when once possessed of a force large enough to awe the people into submission, would find resources in that very force sufficient to enable him to dispense with supplies from the acts of the legislature. But the question again recurs, upon what pretense could he be put in possession of a force of that magnitude in time of peace? If we suppose it to have been created in consequence of some domestic insurrection or foreign war, then it becomes a case not within the principles of the objection; for this is levelled against the power of keeping up troops in time of peace. Few persons will be so visionary as seriously to contend that military forces ought not to be raised to quell a rebellion or resist an invasion; and if the defense of the community under such circumstances should make it necessary to have an army so numerous as to hazard its liberty, this is one of those calamities for which there is neither preventative nor cure. It cannot be provided against by any possible form of government; it might even result from a simple league offensive and defensive, if it should ever be necessary for the confederates or allies to form an army for common defense.

But it is an evil infinitely less likely to attend us in a united than in a disunited state; nay, it may be safely asserted that it is an evil altogether unlikely to attend us in the latter situation. It is not easy to conceive a possibility that dangers so formidable can assail the whole Union, as to demand a force considerable enough to place our liberties in the least jeopardy, especially if we take into our view the aid to be derived from the militia, which ought always to be counted upon as a valuable and powerful auxiliary. But in a state of disunion (as has been fully shown in another place), the contrary of this supposition would become not only probable, but almost unavoidable.

PUBLIUS.

## Senator Albert J. Beveridge, “Remarks Before the Senate Concerning the U.S. Occupation of the Philippines”

Source: *Record*, 56 Cong., 1 Sess., pp. 704-712.

MR. PRESIDENT, the times call for candor. The Philippines are ours forever, “territory belonging to the United States,” as the Constitution calls them. And just beyond the Philippines are China’s illimitable markets. We will not retreat from either. We will not repudiate our duty in the archipelago. We will not abandon our opportunity in the Orient. We will not renounce our part in the mission of our race, trustee, under God, of the civilization of the world. And we will move forward to our work, not howling out regrets like slaves whipped to their burdens but with gratitude for a task worthy of our strength and thanksgiving to Almighty God that He has marked us as His chosen people, henceforth to lead in the regeneration of the world.

This island empire is the last land left in all the oceans. If it should prove a mistake to abandon it, the blunder once made would be irretrievable. If it proves a mistake to hold it, the error can be corrected when we will. Every other progressive nation stands ready to relieve us.

But to hold it will be no mistake. Our largest trade henceforth must be with Asia. The Pacific is our ocean. More and more Europe will manufacture the most it needs, secure from its colonies the most it consumes. Where shall we turn for consumers of our surplus? Geography answers the question. China is our natural customer. She is nearer to us than to England, Germany, or Russia, the commercial powers of the present and the future. They have moved nearer to China by securing permanent bases on her borders. The Philippines give us a base at the door of all the East.

Lines of navigation from our ports to the Orient and Australia, from the Isthmian Canal to Asia, from all Oriental ports to Australia converge at and separate from the Philippines. They are a self-supporting, dividend-paying fleet, permanently anchored at a spot selected by the strategy of Providence, commanding the Pacific. And the Pacific is the ocean of the commerce of the future. Most future wars will be conflicts for commerce. The power that rules the Pacific, therefore, is the power that rules the world. And, with the Philippines, that power is and will forever be the American Republic....

But if they did not command China, India, the Orient, the whole Pacific for purposes of offense, defense, and trade, the Philippines are so valuable in themselves that we should hold them. I have cruised more than 2,000 miles through the archipelago, every moment a surprise at its loveliness and wealth. I have ridden hundreds of miles on the islands, every foot of the way a revelation of vegetable and mineral riches....

Here, then, senators, is the situation. Two years ago there was no land in all the world which we could occupy for any purpose. Our commerce was daily turning toward the Orient, and geography and trade developments made necessary our commercial empire over the Pacific. And in that ocean we had no commercial, naval, or military base. Today, we have one of the three great ocean possessions of the globe, located at the most commanding commercial, naval, and military points in the Eastern seas, within hail of India, shoulder to shoulder with China, richer in its own resources than any equal body of land on the entire globe, and peopled by a race which civilization demands shall be improved. Shall we abandon it?

That man little knows the common people of the republic, little understands the instincts of our race who thinks we will not hold it fast and hold it forever, administering just government by simplest methods. We may trick up devices to shift our burden and lessen our opportunity; they will avail us nothing but delay. We may tangle conditions by applying academic arrangements of self-government to a crude situation; their failure will drive us to our duty in the end.

The military situation, past, present, and prospective, is no reason for abandonment. Our campaign has been as perfect as possible with the force at hand. We have been delayed, first, by a failure to comprehend the immensity of our acquisition; and, second, by insufficient force; and, third, by our efforts for peace. In February, after the treaty of peace, General Otis had only 3,722 officers and men whom he had a legal right to order into battle. The terms of enlistment of the rest of his troops had expired, and they fought voluntarily and not on legal military compulsion. It was one of the noblest examples of patriotic devotion to duty in the history of the world.

## Remarks Before the Senate Concerning the U.S. Occupation of the Philippines, cont'd.

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Those who complain do so in ignorance of the real situation. We attempted a great task with insufficient means; we became impatient that it was not finished before it could fairly be commenced; and I pray we may not add that other element of disaster, pausing in the work before it is thoroughly and forever done. That is the gravest mistake we could possibly make, and that is the only danger before us. Our Indian wars would have been shortened, the lives of soldiers and settlers saved, and the Indians themselves benefited had we made continuous and decisive war; and any other kind of war is criminal because ineffective. We acted toward the Indians as though we feared them, loved them, hated them—a mingling of foolish sentiment, inaccurate thought, and paralytic purpose....

Mr. President, that must not be our plan. This war is like all other wars. It needs to be finished before it is stopped. I am prepared to vote either to make our work thorough or even now to abandon it. A lasting peace can be secured only by overwhelming forces in ceaseless action until universal and absolutely final defeat is inflicted on the enemy. To halt before every armed force, every guerrilla band opposing us is dispersed or exterminated will prolong hostilities and leave alive the seeds of perpetual insurrection.

Even then we should not treat. To treat at all is to admit that we are wrong. And any quiet so secured will be delusive and fleeting. And a false peace will betray us; a sham truce will curse us. It is not to serve the purposes of the hour, it is not to salve a present situation that peace should be established. It is for the tranquillity of the archipelago forever. It is for an orderly government for the Filipinos for all the future. It is to give this problem to posterity solved and settled, not vexed and involved. It is to establish the supremacy of the American republic over the Pacific and throughout the East till the end of time.

It has been charged that our conduct of the war has been cruel. Senators, it has been the reverse. I have been in our hospitals and seen the Filipino wounded as carefully, tenderly cared for as our own. Within our lines they may plow and sow and reap and go about the affairs of peace with absolute liberty. And yet all this kindness was misunderstood, or rather not understood. Senators must remember that we are not dealing with Americans or Europeans. We are dealing with Orientals. We are dealing with Orientals who are Malays. We are dealing with Malays instructed in Spanish methods. They mistake kindness for weakness, forbearance for fear. It could not be otherwise unless you could erase hundreds of years of savagery, other hundreds of years of Orientalism, and still other hundreds of years of Spanish character and custom....

Mr. President, reluctantly and only from a sense of duty am I forced to say that American opposition to the war has been the chief factor in prolonging it. Had Aguinaldo not understood that in America, even in the American Congress, even here in the Senate, he and his cause were supported; had he not known that it was proclaimed on the stump and in the press of a faction in the United States that every shot his misguided followers fired into the breasts of American soldiers was like the volleys fired by Washington's men against the soldiers of King George, his insurrection would have dissolved before it entirely crystallized.

The utterances of American opponents of the war are read to the ignorant soldiers of Aguinaldo and repeated in exaggerated form among the common people. Attempts have been made by wretches claiming American citizenship to ship arms and ammunition from Asiatic ports to the Filipinos, and these acts of infamy were coupled by the Malays with American assaults on our government at home. The Filipinos do not understand free speech, and therefore our tolerance of American assaults on the American President and the American government means to them that our President is in the minority or he would not permit what appears to them such treasonable criticism. It is believed and stated in Luzon, Panay, and Cebu that the Filipinos have only to fight, harass, retreat, break up into small parties, if necessary, as they are doing now, but by any means hold out until the next presidential election, and our forces will be withdrawn.

All this has aided the enemy more than climate, arms, and battle. Senators, I have heard these reports myself; I have talked with the people; I have seen our mangled boys in the hospital and field; I have stood on the firing line and beheld our dead soldiers, their faces turned to the pitiless southern sky, and in sorrow rather than anger I say to those whose voices in America have cheered those misguided natives on to shoot our soldiers down, that the blood of those dead and wounded boys of ours is on their hands, and the flood of all the years can never wash that stain away. In sorrow rather than anger I say these words, for I earnestly believe that our brothers knew not what they did.

## Remarks Before the Senate Concerning the U.S. Occupation of the Philippines, cont'd.

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But, senators, it would be better to abandon this combined garden and Gibraltar of the Pacific, and count our blood and treasure already spent a profitable loss than to apply any academic arrangement of self-government to these children. They are not capable of self-government. How could they be? They are not of a self-governing race. They are Orientals, Malays, instructed by Spaniards in the latter's worst estate.

They know nothing of practical government except as they have witnessed the weak, corrupt, cruel, and capricious rule of Spain. What magic will anyone employ to dissolve in their minds and characters those impressions of governors and governed which three centuries of misrule has created? What alchemy will change the Oriental quality of their blood and set the self-governing currents of the American pouring through their Malay veins? How shall they, in the twinkling of an eye, be exalted to the heights of self-governing peoples which required a thousand years for us to reach, Anglo-Saxon though we are?

Let men beware how they employ the term "self-government." It is a sacred term. It is the watchword at the door of the inner temple of liberty, for liberty does not always mean self-government. Self-government is a method of liberty—the highest, simplest, best—and it is acquired only after centuries of study and struggle and experiment and instruction and all the elements of the progress of man. Self-government is no base and common thing to be bestowed on the merely audacious. It is the degree which crowns the graduate of liberty, not the name of liberty's infant class, who have not yet mastered the alphabet of freedom. Savage blood, Oriental blood, Malay blood, Spanish example—are these the elements of self-government?

We must act on the situation as it exists, not as we would wish it. I have talked with hundreds of these people, getting their views as to the practical workings of self-government. The great majority simply do not understand any participation in any government whatever. The most enlightened among them declare that self-government will succeed because the employers of labor will compel their employees to vote as their employer wills and that this will insure intelligent voting. I was assured that we could depend upon good men always being in office because the officials who constitute the government will nominate their successors, choose those among the people who will do the voting, and determine how and where elections will be held.

The most ardent advocate of self-government that I met was anxious that I should know that such a government would be tranquil because, as he said, if anyone criticized it, the government would shoot the offender. A few of them have a sort of verbal understanding of the democratic theory, but the above are the examples of the ideas of the practical workings of self-government entertained by the aristocracy, the rich planters and traders, and heavy employers of labor, the men who would run the government...

In all other islands our government must be simple and strong. It must be a uniform government. Different forms for different islands will produce perpetual disturbance because the people of each island would think that the people of the other islands are more favored than they. In Panay I heard murmurings that we were giving Negros an American constitution. This is a human quality, found even in America, and we must never forget that in dealing with the Filipinos we deal with children.

And so our government must be simple and strong. Simple and strong! The meaning of those two words must be written in every line of Philippine legislation, realized in every act of Philippine administration.

A Philippine office in our Department of State; an American governor-general in Manila, with power to meet daily emergencies; possibly an advisory council with no power except that of discussing measures with the governor-general, which council would be the germ for future legislatures, a school in practical government; American lieutenant governors in each province, with a like council about him if possible, an American resident in each district and a like council grouped about him. Frequent and unannounced visits of provincial governors to the districts of their province; periodical reports to the governor-general; an American board of visitation to make semiannual trips to the archipelago without power of suggestion or interference to officials or people, but only to report and recommend to the Philippine office of our State Department; a Philippine civil service, with promotion for efficiency; the abolition of duties on exports from the Philippines; the establishment of import duties on a revenue basis, with such discrimination in favor of American imports as will prevent the cheaper goods of other nations from destroying American trade; a complete reform of local taxation on a just and scientific basis, beginning with the establishment of a tax on land according to its assessed value; the minting of abundant money for Philippine and Oriental use. The granting of franchises and concessions upon the theory of developing the resources of the archipelago, and therefore not by sale, but upon participation in the profits of the enterprise; the formation of a system of public schools everywhere with compulsory attendance rigidly enforced; the establishment of the English language throughout the Islands, teaching it exclusively in the schools and using it, through interpreters,

## Remarks Before the Senate Concerning the U.S. Occupation of the Philippines, cont'd.

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exclusively in the courts; a simple civil code and a still simpler criminal code, and both common to all the islands except Sulu, Mindanao, and Paluan; American judges for all but smallest offenses; gradual, slow, and careful introduction of the best Filipinos into the working machinery of the government, no promise whatever of the franchise until the people have been prepared for it, all this backed by the necessary force to execute it—this outline of government the situation demands as soon as tranquillity is established. Until then military government is advisable....

The men we send to administer civilized government in the Philippines must be themselves the highest examples of our civilization. I use the word "examples," for examples they must be in that word's most absolute sense. They must be men of the world and of affairs, students of their fellowmen, not theorists nor dreamers. They must be brave men, physically as well as morally. They must be as incorruptible as honor, as stainless as purity, men whom no force can frighten, no influence coerce, no money buy. Such men come high, even here in America. But they must be had.

Better pure military occupation for years than government by any other quality of administration. Better abandon this priceless possession, admit ourselves incompetent to do our part in the world-redeeming work of our imperial race; better now haul down the flag of arduous deeds for civilization and run up the flag of reaction and decay than to apply academic notions of self-government to these children or attempt their government by any but the most perfect administrators our country can produce. I assert that such administrators can be found....

Mr. President, self-government and internal development have been the dominant notes of our first century; administration and the development of other lands will be the dominant notes of our second century. And administration is as high and holy a function as self-government, just as the care of a trust estate is as sacred an obligation as the management of our own concerns. Cain was the first to violate the divine law of human society which makes of us our brother's keeper. And administration of good government is the first lesson in self-government, that exalted estate toward which all civilization tends.

Administration of good government is not denial of liberty. For what is liberty? It is not savagery. It is not the exercise of individual will. It is not dictatorship. It involves government, but not necessarily self-government. It means law. First of all, it is a common rule of action, applying equally to all within its limits. Liberty means protection of property and life without price, free speech without intimidation, justice without purchase or delay, government without favor or favorites. What will best give all this to the people of the Philippines—American administration, developing them gradually toward self-government, or self-government by a people before they know what self-government means?

The Declaration of Independence does not forbid us to do our part in the regeneration of the world. If it did, the Declaration would be wrong, just as the Articles of Confederation, drafted by the very same men who signed the Declaration, was found to be wrong. The Declaration has no application to the present situation. It was written by self-governing men for self-governing men. It was written by men who, for a century and a half, had been experimenting in self-government on this continent, and whose ancestors for hundreds of years before had been gradually developing toward that high and holy estate.

The Declaration applies only to people capable of self-government. How dare any man prostitute this expression of the very elect of self-governing peoples to a race of Malay children of barbarism, schooled in Spanish methods and ideas? And you who say the Declaration applies to all men, how dare you deny its application to the American Indian? And if you deny it to the Indian at home, how dare you grant it to the Malay abroad?

The Declaration does not contemplate that all government must have the consent of the governed. It announces that man's "inalienable rights are life, liberty, and the pursuit of happiness; that to secure these rights governments are established among men deriving their just powers from the consent of the governed; that when any form of government becomes destructive of those rights, it is the right of the people to alter or abolish it." "Life, liberty, and the pursuit of happiness" are the important things; "consent of the governed" is one of the means to those ends.

If "any form of government becomes destructive of those ends, it is the right of the people to alter or abolish it," says the Declaration. "Any forms" includes all forms. Thus the Declaration itself recognizes other forms of government than those resting on the consent of the governed. The word "consent" itself recognizes other forms, for "consent" means the understanding of the thing to which the "consent" is given; and there are people in the world who do not understand any form of government. And the sense in which "consent" is used in the Declaration is

## Remarks Before the Senate Concerning the U.S. Occupation of the Philippines, cont'd.

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broader than mere understanding; for "consent" in the Declaration means participation in the government "consented" to. And yet these people who are not capable of "consenting" to any form of government must be governed.

And so the Declaration contemplates all forms of government which secure the fundamental rights of life, liberty, and the pursuit of happiness. Self-government, when that will best secure these ends, as in the case of people capable of self-government; other appropriate forms when people are not capable of self-government. And so the authors of the Declaration themselves governed the Indian without his consent; the inhabitants of Louisiana without their consent; and ever since the sons of the makers of the Declaration have been governing not by theory but by practice, after the fashion of our governing race, now by one form, now by another, but always for the purpose of securing the great eternal ends of life, liberty, and the pursuit of happiness, not in the savage but in the civilized meaning of those terms—life, according to orderly methods of civilized society; liberty regulated by law; pursuit of happiness limited by the pursuit of happiness by every other man.

If this is not the meaning of the Declaration, our government itself denies the Declaration every time it receives the representative of any but a republican form of government, such as that of the sultan, the czar, or other absolute autocrats, whose governments, according to the opposition's interpretation of the Declaration, are spurious governments because the people governed have not "consented" to them.

Senators in opposition are estopped from denying our constitutional power to govern the Philippines as circumstances may demand, for such power is admitted in the case of Florida, Louisiana, Alaska. How, then, is it denied in the Philippines? Is there a geographical interpretation to the Constitution? Do degrees of longitude fix constitutional limitations? Does a thousand miles of ocean diminish constitutional power more than a thousand miles of land?

The ocean does not separate us from the field of our duty and endeavor—it joins us, an established highway needing no repair and landing us at any point desired. The seas do not separate the Philippine Islands from us or from each other. The seas are highways through the archipelago, which would cost hundreds of millions of dollars to construct if they were land instead of water. Land may separate men from their desire; the ocean, never. Russia has been centuries in crossing Siberian wastes; the Puritans cross the Atlantic in brief and flying weeks.

If the Boers must have traveled by land, they would never have reached the Transvaal; but they sailed on liberty's ocean; they walked on civilization's untaxed highway, the welcoming sea. Our ships habitually sailed round the Cape and anchored in California's harbors before a single trail had lined the desert with the whitening bones of those who made it. No! No! The ocean unites us; steam unites us; electricity unites us; all the elements of nature unite us to the region where duty and interest call us.

There is in the ocean no constitutional argument against the march of the flag, for the oceans, too, are ours. With more extended coastlines than any nation of history; with a commerce vaster than any other people ever dreamed of, and that commerce as yet only in its beginnings; with naval traditions equaling those of England or of Greece, and the work of our Navy only just begun; with the air of the ocean in our nostrils and the blood of a sailor ancestry in our veins; with the shores of all the continents calling us, the Great Republic before I die will be the acknowledged lord of the world's high seas. And over them the republic will hold dominion, by virtue of the strength God has given it, for the peace of the world and the betterment of man.

No; the oceans are not limitations of the power which the Constitution expressly gives Congress to govern all territory the nation may acquire. The Constitution declares that "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory belonging to the United States." Not the Northwest Territory only; not Louisiana or Florida only; not territory on this continent only but any territory anywhere belonging to the nation.

The founders of the nation were not provincial. Theirs was the geography of the world. They were soldiers as well as landsmen, and they knew that where our ships should go our flag might follow. They had the logic of progress, and they knew that the republic they were planting must, in obedience to the laws of our expanding race, necessarily develop into the greater republic which the world beholds today, and into the still mightier republic which the world will finally acknowledge as the arbiter, under God, of the destinies of mankind. And so our fathers wrote into the Constitution these words of growth, of expansion, of empire, if you will, unlimited by geography or climate or by anything but the vitality and possibilities of the American people: "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory belonging to the United States."

## Remarks Before the Senate Concerning the U.S. Occupation of the Philippines, cont'd.

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The power to govern all territory the nation may acquire would have been in Congress if the language affirming that power had not been written in the Constitution; for not all powers of the national government are expressed. Its principal powers are implied. The written Constitution is but the index of the living Constitution. Had this not been true, the Constitution would have failed; for the people in any event would have developed and progressed. And if the Constitution had not had the capacity for growth corresponding with the growth of the nation, the Constitution would and should have been abandoned as the Articles of Confederation were abandoned. For the Constitution is not immortal in itself, is not useful even in itself. The Constitution is immortal and even useful only as it serves the orderly development of the nation. The nation alone is immortal. The nation alone is sacred. The Army is its servant. The Navy is its servant. The President is its servant. This Senate is its servant. Our laws are its methods. Our Constitution is its instrument....

Mr. President, this question is deeper than any question of party politics; deeper than any question of the isolated policy of our country even; deeper even than any question of constitutional power. It is elemental. It is racial. God has not been preparing the English-speaking and Teutonic peoples for a thousand years for nothing but vain and idle self-contemplation and self-admiration. No! He has made us the master organizers of the world to establish system where chaos reigns. He has given us the spirit of progress to overwhelm the forces of reaction throughout the earth. He has made us adepts in government that we may administer government among savage and senile peoples. Were it not for such a force as this the world would relapse into barbarism and night. And of all our race He has marked the American people as His chosen nation to finally lead in the regeneration of the world. This is the divine mission of America, and it holds for us all the profit, all the glory, all the happiness possible to man. We are trustees of the world's progress, guardians of its righteous peace. The judgment of the Master is upon us: "Ye have been faithful over a few things; I will make you ruler over many things."

What shall history say of us? Shall it say that we renounced that holy trust, left the savage to his base condition, the wilderness to the reign of waste, deserted duty, abandoned glory, forget our sordid profit even, because we feared our strength and read the charter of our powers with the doubter's eye and the quibbler's mind? Shall it say that, called by events to captain and command the proudest, ablest, purest race of history in history's noblest work, we declined that great commission? Our fathers would not have had it so. No! They founded no paralytic government, incapable of the simplest acts of administration. They planted no sluggish people, passive while the world's work calls them. They established no reactionary nation. They unfurled no retreating flag.

That flag has never paused in its onward march. Who dares halt it now—now, when history's largest events are carrying it forward; now, when we are at last one people, strong enough for any task, great enough for any glory destiny can bestow? How comes it that our first century closes with the process of consolidating the American people into a unit just accomplished, and quick upon the stroke of that great hour presses upon us our world opportunity, world duty, and world glory, which none but the people welded into an invisible nation can achieve or perform?

Blind indeed is he who sees not the hand of God in events so vast, so harmonious, so benign. Reactionary indeed is the mind that perceives not that this vital people is the strongest of the saving forces of the world; that our place, therefore, is at the head of the constructing and redeeming nations of the earth; and that to stand aside while events march on is a surrender of our interests, a betrayal of our duty as blind as it is base. Craven indeed is the heart that fears to perform a work so golden and so noble; that dares not win a glory so immortal.

Do you tell me that it will cost us money? When did Americans ever measure duty by financial standards? Do you tell me of the tremendous toil required to overcome the vast difficulties of our task? What mighty work for the world, for humanity, even for ourselves has ever been done with ease? Even our bread must we eat by the sweat of our faces. Why are we charged with power such as no people ever knew if we are not to use it in a work such as no people ever wrought? Who will dispute the divine meaning of the fable of the talents?

Do you remind me of the precious blood that must be shed, the lives that must be given, the broken hearts of loved ones for their slain? And this is indeed a heavier price than all combined. And, yet, as a nation, every historic duty we have done, every achievement we have accomplished has been by the sacrifice of our noblest sons. Every holy memory that glorifies the flag is of those heroes who have died that its onward march might not be stayed. It is the nation's dearest lives yielded for the flag that makes it dear to us; it is the nation's most precious blood poured out for it that makes it precious to us. That flag is woven of heroism and grief, of the bravery of men and women's tears, of righteousness and battle, of sacrifice and anguish, of triumph and of glory. It is these which make our flag a holy thing.

## **Remarks Before the Senate Concerning the U.S. Occupation of the Philippines, cont'd.**

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Who would tear from that sacred banner the glorious legends of a single battle where it has waved on land or sea? What son of a soldier of the flag whose father fell beneath it on any field would surrender that proud record for the heraldry of a king? In the cause of civilization, in the service of the republic anywhere on earth, Americans consider wounds the noblest decorations man can win, and count the giving of their lives a glad and precious duty.

Pray God that spirit never falls. Pray God the time may never come when Mammon and the love of ease shall so debase our blood that we will fear to shed it for the flag and its imperial destiny. Pray God the time may never come when American heroism is but a legend like the story of the Cid. American faith in our mission and our might a dream dissolved, and the glory of our mighty race departed.

And that time will never come. We will renew our youth at the fountain of new and glorious deeds. We will exalt our reverence for the flag by carrying it to a noble future as well as by remembering its ineffable past. Its immortality will not pass, because everywhere and always we will acknowledge and discharge the solemn responsibilities our sacred flag, in its deepest meaning, puts upon us. And so, senators, with reverent hearts, where dwells the fear of God, the American people move forward to the future of their hope and the doing of His work.

Mr. President and senators, adopt the resolution offered that peace may quickly come and that we may begin our saving, regenerating, and uplifting work. Adopt it, and this bloodshed will cease when these deluded children of our islands learn that this is the final word of the representatives of the American people in Congress assembled. Reject it, and the world, history, and the American people will know where to forever fix the awful responsibility for the consequences that will surely follow such failure to do our manifest duty. How dare we delay when our soldiers' blood is flowing?